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## Policy Memorandum

**To:** Accredited Certifying Agents and State Organic Programs

**From:** Miles McEvoy, Deputy Administrator

**Subject:** Sulfur Dioxide in wine made with organic fruit

**Date:** Original Issue Date – September 20, 2010  
*Links and Contact Information Updated March 20, 2024*

The Agricultural Marketing Service (AMS) maintains a Memorandum of Understanding (MOU) with the Alcohol, Tobacco Tax and Trade Bureau (TTB). Under this MOU, the TTB receives, reviews, and approves or rejects labeling applications for alcohol products bearing an organic claim.

The TTB recently received a label application for a product that contained sulfur dioxide in a wine which qualified for the "made with organic\*\*\*\*" classification, but which was made with fruit other than grapes, e.g., pears and blueberries. The TTB requested clarification from the NOP on whether sulfur dioxide is allowed in a "made with organic (fruit other than grapes)" wine.

The National Organic Program (NOP) examined its own record of decisions regarding wine labels and sought legal opinion on this issue. According to the USDA Office of General Counsel (OGC), Section 205.605(b) of the USDA organic regulations ([7 CFR part 205](#)) allows the use of sulfur dioxide in wines that are "made with organically grown *grapes*" (emphasis added). Because the regulations specify "grapes" in this annotation, the use of sulfur dioxide in other true fruit wines (i.e., those that are made with organic fruit other than grapes), and which are labeled, "made with organically grown (fruit other than grapes)", is prohibited. The NOP issued a memo to TTB on September 8, 2010, informing them of this clarification.

This policy clarification applies to wines classified as "true fruit wines" by the TTB. Please note that some wines are made with organically grown grapes and contain other organic fruit added for flavoring. These wines are not affected by this policy. According to TTB, grape wines that have other fruit added for flavoring are not true fruit wines. Thus, these wines can be properly described with the claim "made with organically grown grapes," and contain added sulfites as specified under section 205.605(b) of the NOP regulations.

If you have any questions regarding this memo, you may contact [NOP.Guidance@usda.gov](mailto:NOP.Guidance@usda.gov).



**References:**

**USDA Organic Regulations ([7 CFR Part 205](#))**

7 CFR 205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s))”....

(b) Synthetics allowed... Sulfur dioxide—for use only in wine labeled “made with organic grapes,” Provided, That, total sulfite concentration does not exceed 100 ppm.